

JC14 Rec'd PCT 17 JUN 2005

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**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

INTERNATIONAL APPLICATION NO. PCT/NL03/00601	INTERNATIONAL FILING DATE 28 August 2003	ATTORNEY'S DOCKET NUMBER 313632001300
TITLE OF INVENTION COLLOIDAL DRUG CARRIER SYSTEM		PRIORITY DATE CLAIMED 29 August 2002

APPLICANT(S) FOR DO/EO/US Rudolf VERRIJK et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2.  This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3.  This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
4.  The US has been elected (Article 31).
5.  A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a.  is attached hereto (required only if not communicated by the International Bureau).
  - b.  has been communicated by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US).
6.  An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a.  is attached hereto.
  - b.  has been previously submitted under 35 U.S.C. 154(d)(4).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a.  are attached hereto (required only if not communicated by the International Bureau).
  - b.  have been communicated by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9.  An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). (5 pages)
10.  An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13.  A preliminary amendment. (9 pages)
14.  An Application Data Sheet under 37 CFR 1.76. (3 pages)
15.  A substitute specification.
16.  A power of attorney and/or change of address letter.
17.  A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18.  A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19.  A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20.  Other items or information: Communication re Notification of Missing Requirements (1 page); Copy of Notification of Missing Requirements (2 pages); Return Receipt Postcard

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/525,602	INTERNATIONAL APPLICATION NO. PCT/NL03/00601	ATTORNEY'S DOCKET NUMBER 313632001300	
21. The following fees are submitted:		Applicant Use	Office Use Only
<input checked="" type="checkbox"/> a) Basic national fee ..... \$300.00 <input checked="" type="checkbox"/> b) Examination fee ..... \$200.00 <input checked="" type="checkbox"/> c) Search fee ..... \$500.00		\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>		<b>\$1000.00</b>	\$
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.			
Total Sheets	Extra sheets		
- 100 =	/50 =		x \$250.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).		\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.		\$	
<b>SUBTOTAL =</b>		<b>\$</b>	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).		\$	130.00
<b>TOTAL NATIONAL FEE =</b>		<b>\$</b>	
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		\$	
<b>TOTAL FEES ENCLOSED =</b>		<b>\$</b>	<b>130.00</b>
06/21/2005 (FREY1 00000036 031952 10525602 01 FC:1617 02 FC:1618		Amount to be refunded:	\$
		Amount to be charged:	\$
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>03-1952</u> in the amount of \$ <u>130.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>03-1952</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>			
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.			
SEND ALL CORRESPONDENCE TO:		<u>Kate H. Murashige</u> SIGNATURE:	
Kate H. Murashige MORRISON & FOERSTER LLP 3811 Valley Centre Drive, Suite 500 San Diego, California 92130 (858) 720-5112		Kate H. Murashige NAME _____	
CUSTOMER NUMBER: 25225		29,959 REGISTRATION NUMBER _____	
<p>I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage thereon as First Class Mail, addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.</p> <p>DATED: June 15, 2005</p> <p>Signature <u>Marian Christopher</u> Marian Christopher</p>			

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 15, 2005

Signature:

(Marian Christopher)

Docket No.: 313632001300  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Rudolf VERRIJK et al.

Application No.: 10/525,602

Confirmation No.: 7950

Filed: (Intl.) August 28, 2003

Art Unit: Not Yet Assigned

For: COLLOIDAL DRUG CARRIER SYSTEM

Examiner: Not Yet Assigned

**COMMUNICATION RE NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The Notification of Missing Requirements dated May 18, 2005, contains a requirement for "Translation of the application into English" and the processing fee in connection therewith. Applicants would respectfully point out that the International Application was filed in English and therefore this request is assumed to be in error.

Dated: June 15, 2005

Respectfully submitted,

By Kate H. Murashige  
Kate H. Murashige

Registration No.: 29,959  
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SAN DIEGO

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/525,602	Rudolf Verrijk	313632001300
INTERNATIONAL APPLICATION NO.		
PCT/NL03/00601		
DOCKETED: <i>Missing Requirements</i>	I.A. FILING DATE	PRIORITY DATE
REMINDER: <i>7/18/05</i>	08/28/2003	08/29/2002
FINAL DUE DATE: <i>12/18/05</i>	CONFIRMATION NO. 7950 371 FORMALITIES LETTER	
 *OC000000016048352*		

Date Mailed: 05/18/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/25/2005
- Copy of the International Search Report filed on 02/25/2005
- Preliminary Amendments filed on 02/25/2005
- Information Disclosure Statements filed on 04/25/2005
- Request for Immediate Examination filed on 02/25/2005
- U.S. Basic National Fees filed on 02/25/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(f)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$260** for a Large Entity:

- \$130 Late oath or declaration Surcharge.
- \$130 for English translation surcharge required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

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Telephone: (703) 308-9140 EXT 201

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/525,602	PCT/NL03/00601	313632001300

FORM PCT/DO/EO/905 (371 Formalities Notice)